

**Cole's Moore's
Airtight Steel
Heaters. Ranges.**

—ARE THE BEST ON EARTH.—

When you buy either of them you know you have the very best on the market.

Leever, The Hardwareman,

Sells them. He also handles all kinds of Hardware.

Better buy your Stoves early and be ready for the damp, chilly season.

F. A. HAWK

General Blacksmithing

Central Point, Oregon

Repair work of all kinds. Wood Turning and Scroll Work. Horseshoeing and Wagonwork. Cast Iron Braizing.

(Continued from third page.)

and opportunity for a hearing by the council. In case the office is declared vacant the council may fill such vacancy in the same manner as vacancies in the office of councilmen are filled.

ARTICLE X.

Section 1. The town marshal shall be the conservator of the peace within the limits of the Town of Central Point, and in addition to the authority vested in him by the common council, he shall have the authority and jurisdiction of a Constable, and shall qualify and discharge the duties of Constable in the same manner and to the same effect as required of Constables under the statutes of this state. He shall execute all processes directed to him by the recorder or any legal authority, and he shall arrest any and all persons guilty of any breach of the peace committed in his presence and take them before the recorder or some justice of the peace for trial, and in case the council shall establish a police force for the town, he shall, by virtue of his office, be chief of such force.

Section 2. The Town Marshal shall attend all meetings of the common council and perform the duties of sergeant-at-arms of that body, watch over, care for and preserve all city property and the good morals of the town. And it shall be his duty, and the duty of any and all policemen, to see that all the laws and ordinances of the town are enforced, to file complaint with the recorder against any person violating any of the provisions of this Charter, or the laws or ordinances of the town; and a failure or neglect to faithfully perform any or all of such duties shall be cause for removal from office by the town council.

ARTICLE XI.

Section 1. The Treasurer shall receive and safely keep all moneys that come into his hands belonging to the Town of Central Point, and pay the same out on the order of the mayor and recorder, but not otherwise. He shall cancel forthwith all orders when paid, and shall keep a correct account of any and all receipts and disbursements, and at all times keep his account books open to the inspection of the council, and at the expiration of his term of office he shall turn over to his successor any and all moneys, books and papers pertaining to his said office.

Section 2. He shall, upon receipt of any sum or sums of money, credit the amount received to the proper fund or funds, and shall not under any circumstances apply any special fund to other purposes.

Section 3. He shall receive all the moneys due to the town from the county treasurer, and all other moneys offered him for the town, and shall render quarterly statements of receipts and expenditures, or whenever the town council shall deem it expedient and shall perform such other duties as may be imposed upon him by the council.

ARTICLE XII.

Section 1. It shall be the duty of the council immediately after the receipt of the certificate of the county clerk of the county court of Jackson County, Oregon, showing the aggregate valuation of the assessable property in said Town of Central Point, to meet, and by ordinance annually levy such taxes and assessments as are permitted in this charter against the taxable property of the Town of Central Point, and such special assessments and penalties as may be due and unpaid, and cause the same to be certified to the county court, as provided in Section 2 of this article.

Section 2. The council shall, immediately after such levy, notify the clerk of the county court, under the certificate of the recorder, of the rate per cent of the tax levy made by the council, and all delinquent special benefit assessments and the penalties thereon, and it shall be the duty of such clerk to compute the taxes and extend the same by entering the aggregate tax in the appropriate columns of the tax roll, and such taxes, special assessments and penalties shall be collected by the same officer, in the same manner and at the same time as taxes for county purposes are collected, and the same shall be paid over by the county treasurer to the town treasurer, as provided by law for the paying over of town taxes.

ARTICLE XIII.

Section 1. The enacting clause of all ordinances shall be: "The people of the Town of Central Point do ordain as follows:" and no ordinance shall be passed or bill audited and allowed except at a regular or an adjourned regular meeting of the common council.

Section 2. All existing ordinances in force when this act takes effect and not inconsistent herewith shall be and remain in full force after this Act takes effect, and thereafter until repealed by the council. All actions and proceedings pending and all unfinished business whatsoever when this Act takes effect shall thereafter be proceeded with according to the provisions of this Act, or of any town ordinance applicable thereto and continue in force by this Act. No suit, action or proceeding now pending in any court shall abate by virtue of this Act, and all persons in office shall continue to receive such compensation for their services during the balance of their term as appertain to the office at the time they were respectively elected or appointed thereto; and all rights vested or liabilities incurred when this Act takes effect shall not thereby be lost, impaired or destroyed.

ARTICLE XIV.

Section 1. It is hereby made the duty of all owners of land adjoining any street to construct, reconstruct and maintain, in good repair, such sidewalks along the sides of the streets next the land of such owner as may have been heretofore constructed, or shall hereafter be constructed or directed by the council to be built, and of material and in manner as prescribed by the council, and to keep such sidewalks and adjacent streets and alleys in a safe and passable condition, and to remove, or cause to be removed, all obstructions from such sidewalks, streets and alleys, or to give timely notice to the street commissioner or the street committee of said council of such obstructions or defects; and in case of failure so to do, the owner or owners of such abutting lot shall be equally liable for any damage caused by such obstructions and defects with the said Town of Central Point; said liability of such individuals to be measured by their own participation in creating such obstruction or defect, or by their negligence in failing to report or remove the same. That, in all actions against the said Town of Central Point for damages sustained by reason of defective streets or sidewalks, or other defects in any other properties of the town, the rules and laws of the state and the adjudications in such matters, not inconsistent with the laws of the State of Oregon, shall govern, and where contributory negligence is shown in any action by any person or persons claiming to have been so damaged, such fact shall be taken into consideration as in other actions for damages generally.

ARTICLE XV.

Section 1. The town council shall have power and have the authority whenever it deems it expedient to improve the public grounds within the town, to establish and open streets and alleys therein, in addition to those now laid out, and establish the grade of the streets, alleys and sidewalks; also the power and authority to vacate and improve streets, alleys and public places that may now be or may be hereafter established within the limits of said town; and power and authority to improve streets include the power and authority to grade, construct, pave, repair and keep in repair sidewalks, streets, alleys and gutters; but no street or alley, or any part of any street or alley, shall be vacated except upon the written request of the owner or owners of two-thirds of the frontage on such street or alley, and not then except upon ten days' notice, and by ordinance approved by at least two-thirds of the town councilmen, three-fifths vote of all the councilmen, to cause to be graded, paved, repaved or macadamized any street, alley or any portion thereof within the town, or any gutter along any street or alley, and cause to be built, rebuilt or repaired any sidewalks along any street or alley, each and all to be done in such a manner and within such time as the council may direct and levy, and collect the expense.

Section 2. The common council is hereby authorized, in its discretion, by a and cost of the same, or such part thereof as the council may deem just, by special benefit assessments upon the real estate abutting on such improvement on the same side of the street, but the grading, paving and improving of the street crossings shall be paid by the town from the street funds; Provided, that ten days' notice of a hearing by the council on any proposed change of the grade of any street, the paving or repaving or macadamizing of any street or alley as herein authorized, shall be given by advertisement in a newspaper published in the town or by posting written or printed notice thereof on a bulletin board to be provided by the council in three public places of the town, and no land or lot-holder shall be compelled to grade, construct or improve any street, sidewalks or public way, or pay therefor, if a remonstrance against the proposed improvement signed by the owners of two-thirds of the frontage along the street to be graded, constructed or improved, be filed with the recorder within ten days after notice is first given of the proposed improvement; Provided, further, that if a petition, signed by the owners of two-thirds of the frontage on any street or portion of a street, be filed with the recorder, asking for the improvement of such street, or portion of street, the ten days' notice of such improvement need not be given; Provided, further, that if any street or portion thereof has been graded or sidewalk constructed thereon and accepted by the council, the same may be repaired and kept clean and free from obstructions, without the ten days' notice provided for, and at the expense of the land or lot-holder whose land or lots shall be liable for all costs and expenses therefor from the entry of the same in the lien docket of said town; Provided, further, that in cases where the grade of a street has once been established, and any person on the faith of such grade has erected any building or structure or graded any lot to conform therewith, the grade of such streets shall not be changed so as to injuriously affect such person, without just compensation being made to such person.

Section 3. If the owner of any lot or parcel of land shall fail or neglect within such time as the council shall designate to grade or repair or improve any street or alley as, and in the manner provided by the council, or shall fail or neglect to keep any sidewalk, street or alley which it is his duty to repair in a safe, cleanly and proper condition, or shall fail to properly clean side ditches and gutters and remove any and all obstructions, unsightly and unhealthful material from the street next such lot or parcel of land, the same or any part of the same may be done by the town and the cost of the same, or so much thereof as the council shall deem just, shall be, when assessed by the council, a special assessment lien against such lot or parcel of land, and payable at once, and if not paid within ten days after notice, a ten per cent penalty on the amount of such assessment shall be added to the assessment. The town council shall once each year at the time of the levying of the town taxes, assess and levy upon each of the lots and parcels of land liable for special assessment, and against the owners thereof, all special assessments which the council may have determined against any tract or tracts of land, and which assessment may have remained unpaid for ten days after notice so to do, and prior to such annual assessment and such special assessment shall be certified to the county clerk by the recorder, together with the general assessments, and the county clerk shall enter the same and the same shall be collected and enforced the same as other town taxes.

ARTICLE XVI.

Section 1. Whenever the common council of the Town of Central Point shall deem it expedient to lay out, widen or extend any street or alley, it shall cause the same to be surveyed, and the boundaries thereof marked and a plat thereof filed in the office of the recorder; which plat shall show the lots and parcels of land affected, and the owners thereof, so far as known; and if such plat is adopted the council shall, within thirty days thereafter, appoint three disinterested freeholders of the town, no kin to any owner or person interested in any property to be appropriated, and possessing the qualifications of jurors of the circuit court of Jackson County, to view such proposed street, and make an assessment of the damages and benefits, and shall appoint a day and place for such viewers to meet and cause notice thereof to be given by publication in some newspaper published in the town or by posting such notice on a bulletin board in at least three public places in the town. The notice published shall contain the names of the viewers and the time and place appointed for them to meet; and the names of the owners of the lots or parcels of land affected by such improvement, when the names of the owners are known.

Section 2. The recorder of the town shall immediately, and at least five days before the time assigned for such meeting, cause such viewers to be notified of their appointment and of the time and place of such meeting, and such viewers shall meet at the time and place designated and take an oath faithfully to discharge the duties assigned them; and shall then, or on any other day to which they may adjourn, not exceeding one week, proceed to view the proposed street or alley and to assess and determine the amount of the benefits and damages by reason of the widening or extension of any street or alley, to any lands, tenements, hereditaments or premises, or any part thereof, through or over which, or any part of which, such street or alley is to be laid out, established or widened, and when the benefits exceed the damages, to make assessments for the difference; and where the damages exceed the benefits, to make an award of damages as to such difference, and if several parties have different estates or interests in any lot or part thereof, or any improvement thereon, they shall determine the damages and benefits, which each of such persons will respectively sustain according to the rules of law in suits of partition, and award damages and assess benefits accordingly; and shall assess to any interested parties the benefits of such street or alley to other properties not required for the purpose of opening, laying out, establishing or widening any such street or alley, and which the said viewers consider to be benefited by such street or alley; and shall report such assessments and awards at the next session of the council, and if approved by the council such assessments shall be liens on the respective lots and properties assessed, and shall be collectable in the same manner and under the same penalties as other special assessments; and after the expiration of the time for appeal the award shall be paid by the town, provided no appeal is taken, and the council may proceed to widen or open such street or alley.

Section 3. The council may reject of their own motion the report of any board of viewers and vacate their assessments and may appoint and order other viewers to act.

Section 4. The recorder shall give notice by publication in a newspaper published in the town or by posting written or printed notices on the town bulletin board in at least three places, of the filing of the report of the viewers and that the same is subject to inspection at his offices by any persons interested, and any person aggrieved by any special assessment of the benefits or damages, reported by such viewers, may within twenty days after the filing of the report apply for a hearing and appraisal by the council, and thereupon the council shall view such proposed street or alley and make assessments of damages and benefits in the same manner as required of a board of viewers, and at least two-thirds of the councilmen shall agree thereon; and when agreed shall file their report with the recorder, and such report shall be ratified in council and be treated in the same manner as the report of the viewers after adoption and after ratification by the council; Provided, that notice of at least five days shall be given by the recorder by publication of the meeting, when the council will meet and ratify said report. The report, when ratified, shall be conclusive, and no appeal shall lie therefrom. Or, such aggrieved persons may, within twenty days of the date of adoption of the report of the viewers, appeal to the circuit court of Jackson County, Oregon; and any number of persons interested may join in such appeal, but the only question to be determined by such appeal shall be the question of damages and benefits.

Section 5. Such appeal shall be taken by serving a notice of appeal upon the recorder and executing an undertaking in favor of the Town of Central Point with two or more sureties, who shall justify in the same manner as bail upon arrest, conditioned that the appellant or appellants will pay all costs and disbursements against them, or any of them, on such appeal, not exceeding three hundred dollars, which undertaking, together with proof of service of such notice on the recorder, shall be filed with the clerk of said circuit court within twenty days from the adoption of the report of the viewers.

Section 6. Such appeal shall be heard, tried and determined the same as appeals in county road cases, and if the appellants, or any of them, fail to recover greater damages and to secure a more favorable assessment of benefits, as the case may be, than were assessed by the viewers and adopted by the council, judgment shall be rendered against them and their sureties in the appeal bond for their proportion of the costs of such appeal, to be paid pro rata, according to the amount of damages so assessed, and the same fees and costs shall be taxed and paid upon such appeals as are allowed in other actions; Provided, that costs will not be recovered against said town for a greater amount than

The Price of Peace.

The terrible itching and smarting, incident to certain skin diseases, is almost instantly allayed by applying Chamberlain's Salve. Price, 25 cents. For sale by Mary A. Mee.

TAKE NOTICE!!

After January 1, 1903, and until further notice, I will only be in my place of business during the afternoon of each day, other matters, for a time claiming my attention in the forenoon. I will still, however, give careful attention to repair work on watches and jewelry and all other branches of my business. Respectfully,

P. J. HICKEN.

CLASSIFIED ADVERTISEMENTS

FOR SALE.

FOR SALE AT A BARGAIN—Four good horses with good harness and wagon. Apply at this office. 34tf
WATCHES AND JEWELRY—Finest line ever opened in Central Point. At Central Point Pharmacy. 34tf

MISCELLANEOUS.

ASHLAND ICE—Made from purest mountain water, for sale at Moore's confectionery. 4tf

REAL ESTATE.

THE CENTRAL POINT REAL ESTATE CO. is interested in the future growth of Central Point. We want to see the old town grow, as well as the entire Rogue River valley. Come in and list your property with us. We will explain why it is to your advantage to do so, when you come to our office. If you have property to sell, we have parties who want to buy. If you want to buy, we have parties who want to sell. Do you see the point?—Central Point Real Estate Company, C. S. Sanderson, Manager. 36tf

the excess of the jury's assessments over the viewers' assessment, and in no case shall such costs exceed forty dollars.

Section 7. The council may, upon its own discretion, modify the report of the viewers as to the report of damages and benefits when appealed to by any person aggrieved, when the same will promote justice and avoid litigation, and when so modified there shall be no right of appeal.

Section 8. All other proceedings for the condemnation of land either within or without the town for town purposes shall be governed by the same rules and proceedings as heretofore set forth in this article.

ARTICLE XVII.

Town Liens.

Section 1. The Town of Central Point shall have a lien upon all lots and parts of lots and premises for any assessment made against the same for street or sidewalk improvements made upon streets or sidewalks upon which said lots or parts of lots or premises abutt, from the time of the commencement of the work upon such streets or sidewalks.

Lien Docket.

Section 2. The Town of Central Point shall keep a book, to be known as the "Town Lien Docket," in which shall be entered all liens assessed against lots or parts of lots or premises within said town for any street, sidewalk, sewer or other public improvement; and shall prescribe by ordinance the form of such docket and the manner in which the same shall be kept; and shall cause all liens of the town against any lot or portion of lot or premises, for any assessment assessed against the lot or portion of lot or premises in said town for street, sidewalk, sewer or other public improvements, to be entered in such docket; and shall cause the same to be suitably indexed, which index shall show the name of the owners of any lot or portion of lot or premises against which an assessment is made, the number of the lien and the page on which said lien is entered on such lien docket.

ARTICLE XVIII.

Bonding Act to Apply.

Section 1. The act of the Legislative Assembly of the State of Oregon, entitled, "An Act to provide for the issuance of bonds for the improvement of streets and the laying of sewers in incorporated towns and for the payment of the costs of such improvements and the laying of sewers by installments," filed in the office of the Secretary of State, February 22, 1893, and its amendments, shall apply and be in force in the Town of Central Point, hereby incorporated, without limitation as to the population of said town and irrespective of the size of the population which such town may have at any time when it is the desire, in the judgment of the common council, to apply such act.

Whenever any property owned by the Town of Central Point, and liable for assessment on account of any street or sewer improvement, is assessed therefor, the council is authorized, by ordinance, to make application under the bonding act referred to in Section 1 of this article, and to take advantage of said act as fully as may any owner of property liable for such assessment.

ARTICLE XIX.

Franchise.

Section 1. No exclusive franchise or privilege and no special privilege shall be granted for any purpose.

Section 2. No application for a franchise shall be considered by the council unless the application shall be accompanied with the sum of \$100, which sum shall be returned to the applicant in the event that the common council shall determine that neither the public necessity nor the public interest requires the granting of the franchise. If, however, the council shall determine that the public necessity or the public interest requires that the question of granting a franchise shall be submitted to a vote of the people, then the said sum of \$100 shall be retained by the town in full for all costs of advertising and other expenses connected with the election to be held on the question of granting such franchise.

ARTICLE XX.

Section 1. The territory within the limits of the Town of Central Point, as now existing or as may be hereafter extended, is hereby excepted out of the jurisdiction of the County Court of Jackson County for licensing purposes and the town council shall have full and exclusive jurisdiction over the same. The inhabitants of the town shall be exempt from the payment of road taxes and assessment of the property within the town for road work, except such taxes as may be levied and assessed by the town council, and all such taxes shall be placed in a separate fund and used for street purposes within the limits of the town, and not otherwise.

ARTICLE XXI.

Saloons—Violation of Liquor Ordinances to be Prosecuted in Recorder's Court.

Section 1. Any place in which the sale of intoxicating liquor is permitted to be sold under license within the Town of Central Point, Oregon, shall be deemed, considered and denominated a saloon. All prosecutions for violation of any saloon license or of any ordinance regulating licensed saloons in the Town of Central Point, and all prosecutions for violation of any law or ordinance of said town prohibiting the sale of intoxicating liquors within the corporate limits thereof, without license thereof, shall be tried before the recorder of said Town of Central Point, and without the intervention of a jury, and the judgment and determination of the recorder shall be conclusive and final, subject only to writ of review of the appellate court having jurisdiction.

Section 2. In such prosecution, by indictment or otherwise, for violation of any ordinance prohibiting the sale and disposal of intoxicating liquors within the Town of Central Point, Oregon, without license therefor, it shall not be necessary to state the kind of intoxicating liquor sold, nor to describe the place where sold, provided the sale or disposal shall be within the town limits, nor show the knowledge of the principal, to convict for the act of the agent or servant; and in all cases the person to whom the intoxicating liquors shall be sold, in violation of such ordinance, shall be a competent witness. The issuance of a license or internal revenue special tax stamp by the federal government to any person for the sale of intoxicating liquors, or the certificate of the collector of internal revenue that such license or tax stamp, valid at the time being, has been issued to any person, shall be "prima facie" evidence that such person is selling, exchanging or giving away intoxicating liquors.

ARTICLE XXII.

Section 1. The compensation of viewers and judges and clerks of election and all agents and employees of the town shall be fixed and allowed by the council.

Section 2. The act of the Legislative Assembly of the State of Oregon, entitled, "An Act to incorporate the Town of Central Point, Jackson County, State of Oregon," filed in the office of the Secretary of State, February 25, 1889, is hereby repealed.

OFFICE OF THE RECORDER.

Central Point, Or., December 26, 1902.

This Petition and the accompanying Proposed Amendments to the Town Charter was filed with the Recorder of Central Point on this date, and I find that said petition has been duly signed by more than twenty per cent of all the legal voters voting at the last preceding town election for the office of Recorder of said town.

A. P. GILLET,
Recorder of Central Point.

GAL 6 ORDINANCE

Dr. E. Davis, Dentist.

will be in his Central Point office on the following dates:
From Monday morning, February 10, to Saturday evening, February 15.
From Monday morning, March 16, to Saturday evening, March 21.
Watch for further announcements of later dates in these columns. 37tf

Card of Thanks.

We desire to extend our sincere thanks to those who so kindly assisted us during the recent illness and death of our son and brother, Isaac Mrs. M. E. MAGRUDER AND FAMILY.